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Dkt. 2094/0878/65542/JPW/FHB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Elena Feinstein et al.
Serial No. : 10/021,338
Filed : December 12, 2001
For : GENES INVOLVED IN STROKE RESPONSE AND/OR
REGULATED BY FK506, PROTEINS ENCODED THEREBY,
AND METHODS OF USE

1185 Avenue of the Americas
New York, New York 10036
August 5, 2002

Assistant Commissioner For Patents
P.O. Box 2327
Arlington, VA 22202

Box: Sequence

Sir:

COMMUNICATION IN RESPONSE TO JULY 5, 2002 NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

This Communication is submitted in response to the July 5, 2002 Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice To Comply is attached hereto as **Exhibit A**. The Notice provides a period of one month for filing a response. A response to this July 5, 2002 Notice is due on September 5, 2002. Accordingly, this Communication is being timely filed.

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The Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures indicates that a copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

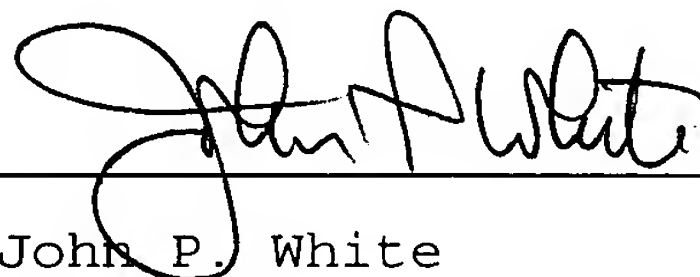
In response, applicants submit as **Exhibit B** hereto a computer readable form (CRF) copy of the "Sequence Listing" as required by 37 C.F.R. §1.825(e) and as **Exhibit C** hereto a courtesy paper copy of the sequence listing. Further, applicants submit herewith a Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit D**, certifying that the computer readable form containing the nucleic acid and/or amino acid sequences as required by 37 C.F.R. §1.821(e) contains the same information which was submitted as the "Sequence Listing" and contains no new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

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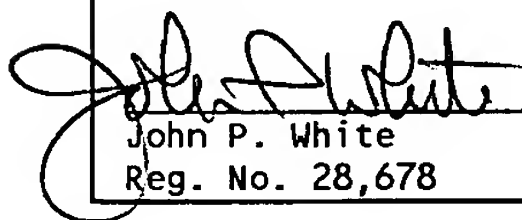
No fee is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



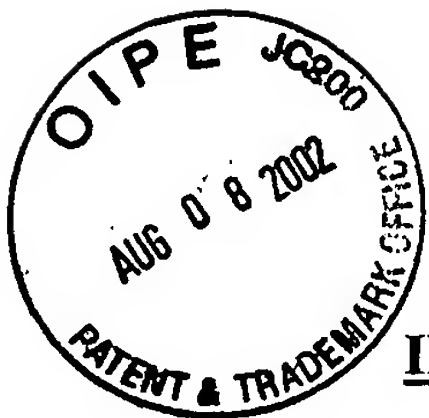
John P. White
Registration No. 28,678
Attorney for Applicants
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1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner For Patents, P.O. Box 2327, Arlington, VA 22202, Box: Sequence



John P. White
Reg. No. 28,678

8/5/02
Date



Docket No. 65542/JPW

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For : GENES INVOLVED IN STROKE RESPONSE
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Date: August 5, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

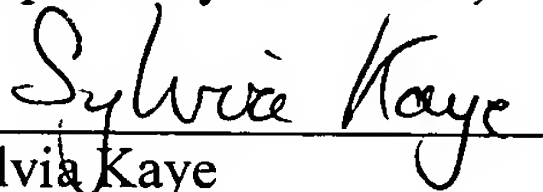
Sir:

STATEMENT IN ACCORDANCE WITH 37 C.F.R. Section 1.821(F)

In accordance with 37 C.F.R. Section 1.821(f), I hereby certify that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. Section 1.821(e) and submitted in connection with the above-identified application, has the same information as "Sequence Listing" in pages 1 - 36 attached hereto as Exhibit c.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,


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